

**AMENDMENT OFFERED BY MR. BROWN OF OHIO,
MR. WAXMAN, AND MR. DINGEL
TO THE CHILD HEALTH RECONCILIATION
PROVISIONS**

(Page & line nos. refer to Committee Print of 6/11/97,
KIDCARE.006)

In lieu of the matter proposed to be inserted, insert
the following:

**1 Subtitle F—Children’s Health In-
2 surance Provides Security
3 (CHIPS) Act of 1997**

**4 SEC. 3501. ENCOURAGING STATES THROUGH INCREASED
5 FEDERAL MEDICAL ASSISTANCE PERCENT-
6 AGE (FMAP) TO EXPAND MEDICAID COV-
7 ERAGE OF CHILDREN AND PREGNANT
8 WOMEN.**

**9 (a) INCREASED FMAP FOR MEDICAL ASSISTANCE
10 FOR CERTAIN INDIVIDUALS.—Section 1905 of the Social
11 Security Act (42 U.S.C. 1396d) is amended—**

**12 (1) in subsection (b), by adding at the end the
13 following new sentence: “Notwithstanding the first
14 sentence of this subsection, in the case of a State
15 plan that meets the conditions described in sub-
16 section (t)(1), with respect to expenditures for medi-
17 cal assistance for individuals within an optional cov-**

1 erage group (as defined in subsection (t)(2)) the
2 Federal medical assistance percentage is equal to the
3 enhanced medical assistance percentage described in
4 subsection (t)(3).”; and

5 (2) by adding at the end the following new sub-
6 section:

7 “(t)(1) The conditions described in this paragraph for
8 a State plan are as follows:

9 “(A) The plan provides (either through exercise
10 of the option under section 1902(l)(1)(D) or author-
11 ity under section 1902(r)(2)) for coverage under sec-
12 tion 1902(l)(1)(D) of individuals under 19 years of
13 age, regardless of date of birth.

14 “(B) The plan provides under section
15 1902(e)(12) for continuous eligibility for a period of
16 12 months (under subparagraph (A) of such section)
17 of all individuals under 19 years of age who are de-
18 termined to be eligible for benefits under a State
19 plan approved under this title under section
20 1902(a)(10)(A).

21 “(2) For purposes of subsection (b), the term ‘op-
22 tional coverage group’ means individuals described in each
23 of the following subparagraphs:

24 “(A) PREGNANT WOMEN WITH FAMILY INCOME
25 BETWEEN 133 PERCENT AND 150 PERCENT OF POV-

1 ERTY LINE.—Women described in subparagraph (A)
2 of section 1902(l)(1) whose family income exceeds
3 133 percent, but does not exceed 150 percent, of the
4 poverty line for a family of the size involved.

5 “(B) INFANTS WITH FAMILY INCOME BETWEEN
6 133 PERCENT AND 150 PERCENT OF POVERTY
7 LINE.—Infants described in subparagraph (B) of
8 section 1902(l)(1) whose family income exceeds 133
9 percent, but does not exceed 150 percent, of the pov-
10 erty line for a family of the size involved.

11 “(C) CHILDREN UNDER 6 YEARS OF AGE WITH
12 FAMILY INCOME BETWEEN 133 PERCENT AND 150
13 PERCENT OF POVERTY LINE.—Children described in
14 subparagraph (C) of section 1902(l)(1) whose family
15 income exceeds 133 percent, but does not exceed
16 150 percent, of the poverty line for a family of the
17 size involved.

18 “(D) OLDER CHILDREN WITH FAMILY INCOME
19 BETWEEN 100 PERCENT AND 150 PERCENT OF POV-
20 ERTY LINE.—Children described in subparagraph
21 (D) of section 1902(l)(1), who are not described in
22 any of subclauses (I) through (III) of section
23 1902(a)(10)(A)(i), and whose family income exceeds
24 100 percent, but does not exceed 150 percent, of the
25 poverty line for a family of the size involved.

1 “(3) The enhanced medical assistance percentage de-
2 scribed in this paragraph for a State is equal to the Fed-
3 eral medical assistance percentage (as defined in the first
4 sentence of subsection (b)) for the State increased (but
5 not above 90 percent) by the number of percentage points
6 equal to 30 percent of the number of percentage points
7 by which (A) such Federal medical assistance percentage
8 for the State, is less than (B) 100 percent.”.

9 (b) STATE OPTION TO EXPAND ELIGIBILITY TO 150
10 PERCENT OF POVERTY LINE FOR CHILDREN OVER 1
11 YEAR OF AGE.—Section 1902(l)(2) of such Act (42
12 U.S.C. 1396a(l)(2)) is amended—

13 (1) in subparagraph (B), by striking “equal to
14 133 percent” and inserting “a percentage (specified
15 by the State and not less than 133 percent and not
16 more than 150 percent)”, and

17 (2) in subparagraph (C), by striking “equal to
18 100 percent” and inserting “a percentage (specified
19 by the State and not less than 100 percent and not
20 more than 150 percent)”.

21 (c) CLARIFICATION OF STATE OPTION TO COVER
22 ALL CHILDREN UNDER 19 YEARS OF AGE.—Section
23 1902(l)(1)(D) of such Act (42 U.S.C. 1396a(l)(1)(D)) is
24 amended by inserting “(or, at the option of a State, after

1 any earlier date)” after “children born after September
2 30, 1983”.

3 (d) STATE OPTION OF CONTINUOUS ELIGIBILITY
4 FOR 12 MONTHS.—Section 1902(e) of such Act (42
5 U.S.C. 1396a(e)) is amended by adding at the end the
6 following new paragraph:

7 “(12) At the option of the State, the plan may pro-
8 vide that an individual who is under an age specified by
9 the State (not to exceed 19 years of age) and who is deter-
10 mined to be eligible for benefits under a State plan ap-
11 proved under this title under subsection (a)(10)(A) shall
12 remain eligible for those benefits until the earlier of—

13 “(A) the end of a period (not to exceed 12
14 months) following the determination; or

15 “(B) the time that the individual exceeds that
16 age.”.

17 (e) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to medical assistance for items and
19 services furnished on or after January 1, 1998.

20 **SEC. 3502. EMPLOYER CONTRIBUTIONS TO PREMIUMS.**

21 (a) GENERAL RULE.—Any employer which elects to
22 make employer contributions on behalf of an individual
23 who is an employee of such employer, or who is a depend-
24 ent of such employee, for health insurance coverage shall
25 not condition, or vary, such contributions with respect to

1 any such individual by reason of such individual's status
2 as an individual eligible for medical assistance under a
3 State plan under title XIX of the Social Security Act (42
4 U.S.C. 1396 et seq.).

5 (b) ELIMINATION OF CONTRIBUTIONS.—An employer
6 shall not be treated as failing to meet the requirements
7 of subsection (a) if the employer ceases to make employer
8 contributions for health insurance coverage for all its em-
9 ployees.

10 (c) ENFORCEMENT.—The enforcement provisions ap-
11 plicable to group health insurance coverage under the
12 amendments made by section 101(e)(2) of the Health In-
13 surance Portability and Accountability Act of 1996 (Pub-
14 lic Law 104–191; 110 Stat. 1952) shall apply with respect
15 to an employer that violates the provisions of this section
16 in the same manner as such provisions apply to employers
17 under such amendments.

18 **SEC. 3503. GRANT PROGRAM TO PROMOTE OUTREACH EF-**
19 **FORTS.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated, for each fiscal year be-
22 ginning with fiscal year 1998 to the Secretary of Health
23 and Human Services, \$25,000,000 for grants to States,
24 localities, and nonprofit entities to promote outreach ef-
25 forts to enroll eligible children under the medicaid pro-

1 gram under title XIX of the Social Security Act (42
2 U.S.C. 1396 et seq.) and related programs.

3 (b) USE OF FUNDS.—Funds under this section may
4 be used to reimburse States, localities, and nonprofit enti-
5 ties for additional training and administrative costs associ-
6 ated with outreach activities. Such activities include the
7 following:

8 (1) USE OF A COMMON APPLICATION FORM FOR
9 FEDERAL CHILD ASSISTANCE PROGRAMS.—Imple-
10 menting use of a single application form (established
11 by the Secretary and based on the model application
12 forms developed under subsections (a) and (b) of
13 section 6506 of the Omnibus Budget Reconciliation
14 Act of 1989 (42 U.S.C. 701 note; 1396a note)) to
15 determine the eligibility of a child or the child's fam-
16 ily (as applicable) for assistance or benefits under
17 the medicaid program and under other Federal child
18 assistance programs (such as the temporary assist-
19 ance for needy families program under part A of
20 title IV of the Social Security Act (42 U.S.C. 601
21 et seq.), the food stamp program, as defined in sec-
22 tion 3(h) of the Food Stamp Act of 1977 (7 U.S.C.
23 2012(h)), and the State program for foster care
24 maintenance payments and adoption assistance pay-

1 ments under part E of title IV of the Social Security
2 Act (42 U.S.C. 670 et seq.)).

3 (2) EXPANDING OUTSTATIONING OF ELIGI-
4 BILITY PERSONNEL.—Providing for the stationing of
5 eligibility workers at sites, such as hospitals and
6 health clinics, at which children receive health care
7 or related services.

8 (c) APPLICATION, ETC.—Funding shall be made
9 available under this section only upon the approval of an
10 application by a State, locality, or nonprofit entity for such
11 funding and only upon such terms and conditions as the
12 Secretary specifies.

13 (d) ADMINISTRATION.—The Secretary may admin-
14 ister the grant program under this section through the
15 identifiable administrative unit designated under section
16 509(a) of the Social Security Act (42 U.S.C. 709(a)) to
17 promote coordination of medicaid and maternal and child
18 health activities and other child health related activities.